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Los Angeles, California 90045

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**FAX TRANSMISSION TO USPTO**

TO: Commissioner for Patents  
Attn: Examiner Ted T. Vo  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450

FROM: Victor G. Cooper  
OUR REF.: ST9-98-107US2  
TELEPHONE: (310) 642-4142

Total pages, including cover letter: 6

**PTO FAX NUMBER: (703) 872-9306**

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|                                |                                                                                                                                                                                  |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Title of Document Transmitted: | NOTICE OF APPEAL, EXTENSION OF TIME FOR ONE MONTH, AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT IN THE AMOUNTS OF \$340 (NOTICE OF APPEAL FEE) AND \$110 (EXTENSION OF TIME FEE). |
| Applicant:                     | Thomas J. Pavela                                                                                                                                                                 |
| Serial No.:                    | 09/955,804                                                                                                                                                                       |
| Filed:                         | September 19, 2001                                                                                                                                                               |
| Group Art Unit:                | 2122                                                                                                                                                                             |
| Title:                         | SYSTEM AND METHOD FOR DEVELOPING TEST CASES USING A TEST OBJECT LIBRARY                                                                                                          |
| Our Ref. No.:                  | ST9-98-107US2                                                                                                                                                                    |

Please charge all fees to Deposit Account No. 09-0460 of IBM Corporation, the assignee of the present application.

By: 

Name: Victor G. Cooper  
Reg. No.: 339,641

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Date

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G&C 30571.210-US-C1

Confirmation No.: 1404  
Due Date: October 24, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Pavela Examiner: Ted T. Vo  
Serial No.: 09/955,804 Group Art Unit: 2122  
Filed: September 19, 2001 Docket: ST9-98-107US2  
Title: SYSTEM AND METHOD FOR DEVELOPING TEST CASES USING A TEST OBJECT  
LIBRARY

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

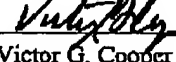
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- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ Notice of Appeal.
- ☒ Charge the Fee for the Notice of Appeal in the amount of \$340.00 to the Deposit Account.
- ☒ Petition for Extension of Time under 37 C.F.R. 1.136 for 1 month.
- ☒ Charge the Extension Fee in the amount of \$110.00 to the Deposit Account.

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Customer Number 22462  
GATES & COOPER LLP  
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By:   
Name: Victor G. Cooper  
Reg. No.: 39,641  
VGC/sjm

Confirmation No.: 1404  
Due Date: October 24, 2004IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Pavela Examiner: Ted T. Vo  
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P.O. Box 1450  
Alexandria, VA 22313-1450

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By:   
Name: Victor G. Cooper  
Reg. No.: 39,641  
VGC/sjm

OCT 22 2004

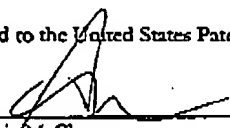
Due Date: October 24, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |                                                                         |                 |               |
|-------------|-------------------------------------------------------------------------|-----------------|---------------|
| Applicant:  | Thomas J. Pavela                                                        | Examiner:       | Ted T. Vo     |
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NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 22-36 of the above-identified application, as set forth in the Office Action mailed June 1, 2004 (the response date of which was reset by an Advisory Action dated September 24, 2004).

Please charge the amount of \$340.00 to Deposit Account No. 09-0460 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Respectfully submitted,

Thomas J. Pavela

By their attorneys,

GATES & COOPER LLP  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: October 22, 2004

VGC/sjm

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Reg. No.: 39,641